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Executive Registry

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OS REGISTRY

FILE Dec. 18

MEMORANDUM FOR: Director of Central Intelligence

FROM:

Special Assistant to the DCI for Compartmentation

SUBJECT: APEX - Next Step

1. This memorandum requests a decision on whether or not to proceed with building the APEX Special Access Control System and, if the answer be "No," a decision on what to do with the APEX mechanisms. A decision can be delayed some weeks while you become familiar with more pressing problems and with your environment and associates. A decision should be made by the end of March. Paragraph 7 describes what I propose to do in the interim and paragraph 8 contains a recommendation.

2. I am available, at your convenience, to explain the history and implications of APEX. APEX concerns the administration of the several Intelligence Community special access programs, has been three years in the planning, stems from DCI responsibilities in Executive Orders 12036 and 12065, especially paragraph 4-2, and is explicitly ordered in PD/NSC-55 dated 10 January 1980. (A decision not to proceed requires that PD/NSC-55 be revoked.)

3. The Community is mostly opposed to the APEX structure. The consensus of the 12 January NFIB meeting on APEX was that "the good parts" should be preserved. I am now trying to get from each NFIB organization a written statement defining "the good parts."

4. There are three obvious options. Each of the first three attachments would implement one of those options. The first (Tab 1) simply reaffirms PD/NSC-55 and instructs the Community to proceed. The option is doable only if the Office of the Secretary of Defense is willing to direct forcibly compliance by DoD elements. Mr. Carlucci is familiar with APEX and the OSD actions that would be required to make it go. I believe his views would be helpful in looking at this option. He supported APEX as DDCI but may well have a different view from his DoD

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position. This option will be opposed by most NFIB members, would continue to suffer from a variety of bureaucratic delaying actions, and purportedly has significant resource implications. ☐

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5. The second option (Tab 2) returns to the status quo ante. It abolishes the APEX Steering Group (interagency), the APEX Control Staff (Office of the DCI) and my position (Special Assistant to the DCI for Compartmentation) and wipes out your mechanism to look after special access programs. Selection of this option would require the withdrawal of PD/NSC-55 and leave you without a central device with which to meet your responsibilities for managing and monitoring special access programs as specified in Executive Order 12065, paragraph 4-2. In addition, it leaves you without a central mechanism to pursue certain APEX-spawned-actions that were approved by NFIB on 12 January and whatever emerges as "the good parts." This option throws out the baby with the bath water: it wastes three years of effort and could jeopardize the agreed-upon Central Access Registry (4C) for persons and facilities approved for special access. Agreement on 4C is as close as we come to unanimous NFIB approval for any part of APEX. ☐

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6. The third option (Tab 3) provides the mechanism for fulfilling the DCI responsibilities for managing special access programs and for improving existing programs under the Executive Order 12065 authority but abandons the formal APEX concepts and structure. The option continues the interagency group as the DCI Committee on Special Access Programs, converts your staff support from the APEX Control staff to the Compartmentation Control Staff, and continues the position of SA/DCI/C. The text reduces the scope of these mechanisms somewhat and points them toward fixing that which is bad within the existing systems rather than replacing them with a new and controversial single system. It moves toward eventual achievement of most APEX objectives but avoids the contention and divisiveness of drastic change in a short period. Selection of this option would require withdrawal of PD/NSC-55 and affirmation of paragraph 4-2 of Executive Order 12065. Mr. Carlucci's views, again, would be helpful. ☐

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7. Until you act, and unless I am instructed otherwise, I will continue to move on actions that were agreed to at the 12 January NFIB meeting (Tab 4). I am attempting to collect and consolidate the sum of Community views on the "good parts" of APEX into a document suitable for NFIB discussion and your decision. The nature of the problem, however, is such that even unanimity on any aspect requires caution, because in the past NFIB members have agreed, only to discover that their perceptions were not common. ☐

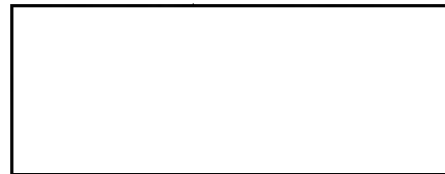
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8. Recommendation

Option three. I recommend that you act to:

- Achieve NSC withdrawal of PD/NSC-55. (You should retain the authority, specified in the last paragraph of the directive, to modify or eliminate the special access program for overhead reconnaissance products.)
- Convert the APEX Control Staff and Steering Group into mechanisms for the improvement of existing special access programs under DCI management and monitoring per paragraph 4-2 of Executive Order 12065.
- Abandon the APEX structure and single system concept for the immediate future. ☐

Unfortunately, none of these options will conclusively resolve the basic problem of how to handle specific special access programs. Whichever option you select, specific compartmentation problems for NFIB deliberation and your decision will arise regularly. And in this area, NFIB has not been very useful in resolving specific special access program problems. In due course, please select and sign the appropriate attached memorandum, or provide guidance for other action. ☐



Attachments:

Tabs 1, 2, 3 and 4

SA/DCI/ ☐ cah

Distribution:

Orig - Addressee

1 - ☐ DCI APEX Security Officer

2 - SA/DCI/C File

1 - ER